



#3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Wagle, et al. :
Serial No.: 10/036,857 : Group Art Unit No.: 1614
Filed: December 31, 2001 : Examiner: Unknown
For: Method for Treating Fibrotic Diseases :
Or Other Indications III C :

Box Missing Parts

Commissioner for Patents
Washington, D.C. 20231

I hereby certify that this correspondence is being deposited with sufficient postage with the United States Postal Service as first-class mail in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, D.C. 20231, on April 5, 2002.

By: Peggy Ferello
Peggy Ferello

**TRANSMITTAL LETTER
&
SMALL ENTITY STATEMENT**

Transmitted herewith are the following documents in the above-identified application:

- ☒ Response to Notice of Missing Parts of Non-provisional Application;
- ☒ Declaration and Power of Attorney;
- ☒ Fee Transmittal Form;
- ☒ Check No. 1005087 in the amount of \$1,244.00;
- ☒ Copy of Notice To File Missing Parts of Non-provisional Application; and
- ☒ Acknowledgment postcard.

Applicants request that any additional fees required by these papers be charged, or any overpayment be credited, to Deposit Account No. 04-0480.



Small Entity Statement

I hereby declare that the Assignee, Alteon, Inc., qualifies as a small business concern as defined in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent Office under 37 CFR 1.27(c).

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Arthur E. Jackson", written over a horizontal line.

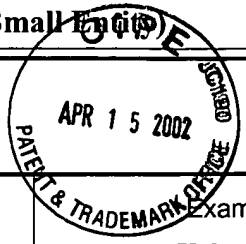
Arthur E. Jackson
Registration No. 34,354
Attorney for Applicant

DECHERT
P. O. Box 5218
Princeton, NJ 08543
Attn: Arthur E. Jackson, Esq.
(609) 620-3254
Fax: (609) 620-3259

MP# #3

Response To Notice To File Missing Parts Of Application Filing Date Granted (PTO-1533)(Small Entity)	Docket No. 361331-512
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In Re Application Of: **Wagle, et al.**



Serial No. 10/036,857	Filing Date December 31, 2001	Examiner Unknown	Group Art Unit 1614
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Invention:
METHOD FOR TREATING FIBROTIC DISEASES OR OTHER INDICATIONS III C

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Box Missing Parts

This is a response to the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533) mailed on February 6, 2002
Date

Enclosed herewith for filing are the following:

- ☒ A copy of the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533). **(REQUIRED)**
- ☒ An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date.
- ☐ A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date.
- ☐ An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date.
- ☐ A verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the United States Patent and Trademark Office.
- ☒ _____ verified small entity declaration(s)
 - ☒ is/are attached.
 - ☐ was/were filed on _____
- ☐ A separate request for refund.
- ☒ Other (list):

Fee Transmittal Form
Check No. 1005087 in the amount of \$1,244.00
Acknowledgement Postcard

#3

Response To Notice To File Missing Parts Of Application Filing Date Granted (PTO-1533)(Small Entity)	Docket No. 361331-512
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In Re Application Of: **Wagle, et al.**

Serial No. 10/036,857	Filing Date December 31, 2001	Examiner Unknown	Group Art Unit 1614
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Invention:
METHOD FOR TREATING FIBROTIC DISEASES OR OTHER INDICATIONS III C

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Attention: Manager, Application Branch

☒ Completion of application fees as calculated below:

- | | |
|---|-------------------|
| <input checked="" type="checkbox"/> Utility application filing fee | \$370.00 |
| <input type="checkbox"/> Design application filing fee | |
| <input checked="" type="checkbox"/> Total number of independent claims = <u>5</u> | \$84.00 |
| <input checked="" type="checkbox"/> Total number of claims = <u>85</u> | \$585.00 |
| <input checked="" type="checkbox"/> Multiple dependent claims | \$140.00 |
| <input checked="" type="checkbox"/> Surcharge for late payment of filing fee and/or late filing of original declaration or oath | \$65.00 |
| <input type="checkbox"/> Petition and fee for filing by other than all the inventors or a person not the inventor | |
| <input type="checkbox"/> Fee for processing an application filed with a non-English language specification | |
| <input type="checkbox"/> Fee for processing and retention of application | |
| Total completion of application fees | \$1,244.00 |

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the above-identified Notice to File Missing Parts of Application. The requested extension is as follows (check time period desired). If an additional time extension is required, please consider this a petition therefor.

- ☐ One month
☐ Two months
☐ Three months
☐ Four months
☐ Five months

from: _____ until: _____
Date
Date

Total time extension fees _____

Total fees due **\$1,244.00**



Eg M.P.A. #3

PTO/SB/17 (11-01)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$1,244.00)

Complete if Known

Application Number 10/036,857
Filing Date December 31, 2001
First Named Inventor Wagle
Examiner Name Unknown
Group Art Unit 1614
Attorney Docket No. 361331-512

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account:

Deposit Account Number 04-0480
Deposit Account Name

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments
☒ Charge any additional fee(s) during the pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
101	740	201	370	Utility filing fee	370.00
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) (\$370.00)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

		Extra Claims		Fee from below	Fee Paid
Total Claims	85	-20** =	65	x 9	= 585.00
Independent Claims	5	-3** =	2	x 42	= 84.00
Multiple Dependent				140	= 140.00

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$809.00)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
105	130	205	65	Surcharge - late filing fee or oath	65.00
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$65.00)

SUBMITTED BY

Name (Print/Type) Arthur E. Jackson
Signature

Registration No. 34,354
(Attorney/Agent)

Complete (if applicable)

Telephone (609) 620-3254
Date April 5, 2002

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

#3

**Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533) (Small Entity)**Docket No.
361331-512In Re Application Of: **Wagle, et al.**Serial No.
10/036,857Filing Date
December 31, 2001Examiner
UnknownGroup Art Unit
1614

Invention:

METHOD FOR TREATING FIBROTIC DISEASES OR OTHER INDICATIONS III CTO THE ASSISTANT COMMISSIONER FOR PATENTS:Attention: Manager, Application BranchThe fee of **\$1,244.00** is to be paid as follows:

- ☒ A check in the amount of the fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. **04-0480**
A duplicate copy of this sheet is enclosed.
- ☐ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. **04-0480**
A duplicate copy of this sheet is enclosed.


SignatureDated: **April 5, 2002**

Arthur E. Jackson,
Reg. No. 34,354
DECHERT
P. O. Box 5218
Princeton, NJ 08543
Tele: (609) 620-3254
Fax: (609) 620-3259

I certify that this document and fee is being deposited
on **April 5, 2002** with the U.S. Postal Service as
first class mail under 37 C.F.R. 1.8 and is addressed to the
Assistant Commissioner for Patents, Washington, D.C.
20231.


Signature of Person Mailing Correspondence**Peggy Ferrell**

Typed or Printed Name of Person Mailing Correspondence

cc:

#3



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/036,857	12/31/2001	Dilip Wagle	361331-512

25561
ALLEN BLOOM
C/O DECHERT
PRINCETON PIKE CORPORATION CENTER
P.O. BOX 5218
PRINCETON, NJ 08543-5218



CONFIRMATION NO. 4034

FORMALITIES LETTER



OC000000007432920

Date Mailed: 02/06/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

04/17/2002 SDIRETA1 00000069 10036857

FILED UNDER 37 CFR 1.53(b)

01 FC:201	370.00 OP
02 FC:205	65.00 OP
03 FC:203	585.00 OP
04 FC:202	84.00 OP
05 FC:204	140.00 OP

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 370 to complete the basic filing fee for a small entity.
- Total additional claim fee(s) for this application is \$809.
 - \$585 for 65 total claims over 20.
 - \$84 for 2 independent claims over 3.
 - \$140 for multiple dependent claim surcharge.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1244.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- An Abstract not to exceed 150 words in length, commencing on a separate sheet (37 CFR 1.72(b)).

*A copy of this notice **MUST** be returned with the reply.*

DOCKETED

Teddy Borke

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE